

REMARKS/ARGUMENTS

Claims 1-2, 4-8, 10-19, 21, 24-26 and 46-61 are pending. Claims 1, 4-7, 10, 14-18, 21, 23, 26, 54 and 60 have been amended. Claims 4-7, 19, 23, 51-53 and 59-61 have been withdrawn from consideration, and claims 3, 9, 20, 22, 27-45 and 62-91 have been cancelled.

1. Invention Restriction

In response to the three-way restriction requirement, Applicants hereby elect Group 1, claims 1-61 and 75-91 drawn to an implantable approximation device/fracture fixation system. This election is made without traverse. Non-elected claims 62-74 have been cancelled.

The title of the application has been amended to reflect that all the method claims have been cancelled.

2. Species Election

In response to the Examiner's identification of multiple species, the Applicants hereby elect Species 47 (Figure 33A), without traverse. Claims 4-7, 19, 23, 51-53 and 59-61 have been withdrawn from consideration (but withdrawn claims 4-7, 23 and 60 have been amended should generic claim 1 be allowed). The remaining pending claims are deemed readable thereon.

Appl. No.: 09/816,641
Docket No.: 2502000-991130
Response to Office Action of April 5, 2004

Early and favorable action is respectfully requested.

Respectfully submitted,

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